

IN RE: PETITION FOR VARIANCE
SE/S Rosebank Avenue, 816' +/-
SW centerline of Edgewater Place
15th Election District
7th Councilmanic District
(8219 Rosebank Avenue)

Patricia A. & Steven P. Mally
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-286-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Patricia and Steven Mally. The Petitioners are requesting a variance for property located at 8219 Rosebank Avenue. The subject property is zoned MH. The variance request is from Section 256.5, to allow a contractor's equipment storage yard within 25 ft. of a street abutting a residential zone line instead of the required 150 ft., and from Section 258.1, to permit a building side yard of 10 ft. and 0 ft. instead of the required 30 ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit No. 1.

Appearing at the hearing on behalf of the variance request was Steven Mally, the property owner and Dave Billingsley, a professional engineer who prepared the site plan of the property. Appearing in opposition to the Petitioner's request were Guido Guarnaccia and Frank Greever, nearby residents.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.58 acres, more or less, and is zoned MH. The subject property is unimproved at this time. The Petitioners, Mr. & Mrs. Mally, propose to construct a one-story, 4,000 sq. ft. storage building on the subject site. The site plan of the property, entered into evidence as

ORDER RECEIVED FOR FILING

Date 3/5/01

By R. J. J. J. J.

Petitioners' Exhibit No. 1, shows the property itself and the building proposed to be constructed. The subject property is approximately 50 ft. in width and some 500 ft. in depth. Photographs of the property and my site inspection revealed that the subject property has been utilized as an open dump for many years. Mr. Mally recently came into ownership of the subject property after renting the site for about two years. Much of the debris and items that have accumulated on the property cannot be attributed to the present owner. However, Mr. Mally, since the date of the hearing before me, has exerted tremendous efforts to clean the property and remove all of the junk and debris from the site. The subject property is zoned MH and, therefore, permits the commercial use proposed by Mr. Mally. However, given the long and narrow configuration of the property, a variance is necessary for him to construct the large storage building on the site

As stated previously, two residents of the surrounding community appeared in opposition to the Petitioners' request. Mr. Guarnaccia, who routinely appears at hearings before us for this community, indicated that he is opposed to the petition of constructing a building on the property given the present condition of the site. He indicated that Mr. Mally has not been a responsible property owner in that the property has become derelict and has a great deal of junk and debris stored thereon. However, as stated previously, Mr. Mally has made tremendous improvements to the property. Furthermore, my site inspection of the area demonstrated that a one-story storage building of this nature would be in keeping with other uses in the immediate vicinity, particularly the 84 Lumber Company situated to the rear of the site. Given the great deal of improvements and the removal of the junk and debris from the site, I find that the Petitioners' request for variance should be granted.

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3/5/01
R. Guarnaccia

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

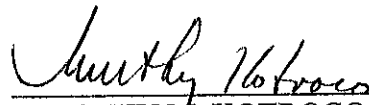
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 5th day of March, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 256.5 of the B.C.Z.R., to allow a contractor's equipment storage yard within 25 ft. of a street abutting a residential zone line instead of the required 150 ft., and from Section 258.1, to permit a building side yard of 10 ft. and 0

FILED
3/5/01
K. J. Gannon

ft. instead of the required 30 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at his time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall be required to keep the subject property in a neat and orderly fashion. No junk and debris shall be permitted to accumulate on the site. Any equipment stored on the property must be in operable condition. Periodic inspections of the property will be made to insure compliance with this restriction.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

3/5/01
J. L. Johnson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 5, 2001

Mr. & Mrs. Steven P. Mally
2516 McComas Avenue
Baltimore, Maryland 21222

Re: Petition for Variance
Case No. 99-286-A
Property: 8219 Rosebank Avenue

Dear Mr. & Mrs. Mally:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8219 ROSEBANK AVENUE

which is presently zoned M.H.

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 256.5 to allow a contractor's equipment storage yard within 25 feet of a street abutting a residential zone line instead of the required 150 feet and from Section 258.1 to permit a building side yard of 10 feet and 0 feet instead of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHMENT

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract (Purchaser/Lessee):

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

STEVEN P. MALLY

(Type or Print Name)

Signature

PATRICIA A. MALLY

(Type or Print Name)

Signature

2516 McCOMAS AVENUE (410) 288-3282

Address

Phone No.

BALTIMORE, MARYLAND

21222

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

CENTRAL DRAFTING AND DESIGN, INC.
DAVID W. BILLINGSLEY

Name 601 CHARWOOD COURT

EDGEWOOD, MARYLAND 21040 (410) 679-8719

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: gan

DATE

8-28-99

ORDER RECEIVED FOR FILING



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

99-286-A

286

BRIEF TO ACCOMPANY REQUEST FOR ZONING VARIANCE
8219 ROSEBANK AVENUE

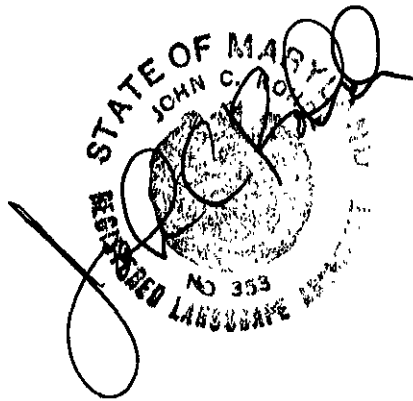
The petitioners purchased the referenced property in October, 1998 and intend to continue the use as a contractor's equipment storage yard for their business. In order to provide protected storage for supplies and some of the equipment, they wish to construct a 4000 square foot building.

Due to the 50 foot lot width and the 30 foot side yard requirement, a variance is necessary to construct a building of any size. The petitioner has determined that a 40 foot building width is the minimum desirable for the proposed use. Positioning the building as shown on the site plan with side yards of 0 feet and 10 feet will permit the desirable width and allow access to the rear of the site.

286

DESCRIPTION FOR ZONING VARIANCE
8219 ROSEBANK AVENUE

Beginning for the same at a point on the southeast side of Rosebank Avenue (30 feet wide) at a distance of 817.56 feet southwest of the centerline of Edgewater Place; thence being all of lot 42 as shown on the plat entitled Rosebank recorded among the Baltimore County plat records in plat book 6 folio 184. Containing 0.58 acres of land more or less. Being located in the Fifteenth Election District, Seventh Councilmanic District of Baltimore County.



99-286-A

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-286-A
8219 Rosebank Avenue
SE/S Rosebank Avenue, 816'
+/- SW of centerline
Edgewater Place
15th Election District
7th Councilmanic District
Legal Owner(s): Patricia A. &
Steven P. Maly

Variance: to allow a contractor's equipment storage yard within 25 feet of a street abutting a residential zone line; in lieu of the required 150 feet and to permit a building side yard of 10 feet and zero feet in lieu of the required 30 feet.

Hearing: Thursday, March 11, 1999 at 10:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/27/99 Feb. 18 C291443

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/18/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/18/, 1999.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. TOWSON

BALTIMORE COUNTY, MARY ID
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 063089

DATE 1-28-99 ACCOUNT Rose Bank

AMOUNT \$ 250.00

RECEIVED FROM: S. MALLY 3219 Rose Bank Rd

FOR: M. VAL. (CHK)

FOR:

99-286-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCW

PAID RECEIPT

PROCESS: ACTUAL TIME
1/29/1999 1/29/1999 15:08:12

RE: 063089 CASHIER MARY MESA DROMER

5 MISCELLANEOUS CASH RECEIPT

RE: 063089 066000

CP NO. 063089

250.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

RE: PETITION FOR VARIANCE
8219 Rosebank Avenue, SE/S Rosebank Ave, 816'
+/- SW of c/l Edgewater Place, 15th Election District,
7th Councilmanic

Legal Owners: Steven P. & Patricia A. Mally

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-286-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of February, 1999, a copy of the foregoing Entry of Appearance was mailed to David W. Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood, MD 21040, representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 4, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-286-A

8219 Rosebank Avenue

SE/S Rosebank Avenue, 816' +/- SW of centerline Edgewater Place

15th Election District – 7th Councilmanic District

Legal Owner: Patricia A. & Steven P. Mally

Variance to allow a contractor's equipment storage yard within 25 feet of a street abutting a residential zone line in lieu of the required 150 feet and to permit a building side yard of 10 feet and zero feet in lieu of the required 30 feet.

HEARING: Thursday, March 11, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Patricia & Steven Mally
Central Drafting & Design, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 24, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
February 18, 1999 Issue – Jeffersonian

Please forward billing to:

Steven P. Mally
2516 McComas Avenue
Baltimore, MD 21222

410-288-3282

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-286-A

8219 Rosebank Avenue

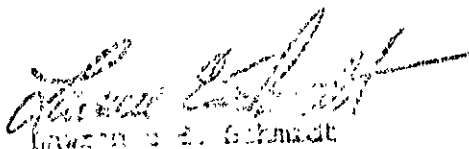
SE/S Rosebank Avenue, 816' +/- SW of centerline Edgewater Place

15th Election District – 7th Councilmanic District

Legal Owner: Patricia A. & Steven P. Mally

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HEARING: Thursday, March 11, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

34
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 286
Petitioner: S. MALLY
Address or Location: 8219 ROSEBANK AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEVEN P. MALLY
Address: 2516 MCCOMAS AVENUE
BALTIMORE, MARYLAND 21222
Telephone Number: (410) 288-3282

286

Revised 2/20/98 - SCJ

99-286-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-286A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A VARIANCE TO PERMIT A CONTRACTOR'S
EQUIPMENT STORAGE YARD WITHIN 25 FT.
OF A STREET ABUTTING A RESIDENTIAL ZONE IN
LIEU OF THE REQUIRED 150 FT. AND SIDEYARD
SETBACKS OF 0 FT. AND 10 FT. IN LIEU OF
THE REQUIRED 30 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 5, 1999

Mr. David W. Billingsley
Central Drafting and Design, Inc.
601 Charwood Court
Edgewood, MD 21040

RE: Case No.: 99-286-A
Petitioner: Steven P. Mally, et ux
Location: 8219 Rosebank Avenue

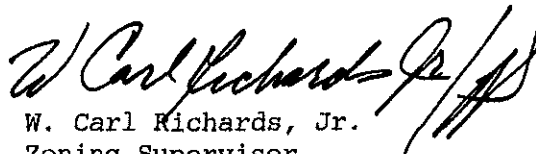
Dear Mr. Billingsley:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 28, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



INTEROFFICE CORRESPONDENCE

Date: February 17, 1999

SUBJECT: Zoning Advisory Committee Meeting
for February 16, 1999
Item No. 286

cc: File

ZONE0216.286

Jim
3/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 18, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 8219 Rosebank Ave

INFORMATION:

Item Number: 286

Petitioner: Stephen P. Malley

Zoning: MH

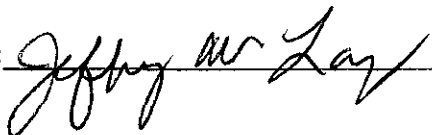
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided and analysis conducted, the staff offers the following comment:

The proposed building will have no impact on the surrounding area. The applicant should be required to contact the owner of 8217 Rosebank Avenue to discuss off-site landscape screening of that residence. The installation of the agreed upon landscaping, if any, should be the responsibility of the applicant.

Section Chief:



AFK/JL:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 2/10/99

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: Feb. 8, 99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 278
279
280
281
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287
288
289
98-467 SP HA



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

February 23, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: STEVEN P. MALLY AND PATRICIA A. MALLY (286)

Location: DISTRIBUTION MEETING OF February 8, 1999

Item No.: 286 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

*MINIMUM 18' FIRE LANE IS REQUIRED FOR ACCESS TO REAR OF LOT.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887 4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 2.9.95

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 286

JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

GUIDO - GUARNACCIA

3912 - GLENHURST. Rd.

Balto MD. 21222

TEL. 410-388-0684

FRANK GREEVER

3920 - GLENHURST. Rd.

Balto MD. 21222

TEL. 410-477-3425



8219 ROSEBANK AVE
99.286 A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DAVID BILLINGSLEY

601 CHARWOOD CT.
EDGEWOOD, MD. 21040

STEVE P. MALLY

2516 McComas AVE

Patricia A. Mally

2516 McComas Ave. Balto., MD 21222



Proc Ex #2

Wells McComas CITIZENS IMPROVEMENT ASSOCIATION, INC.

3912 Glenhurst Road
Baltimore, Maryland 21222
February 28, 1999

Mr. Lawrence E. Schmidt
Zoning Commissioner
Baltimore County Office of Zoning
400 Washington Avenue
Towson, Maryland 21204

RE: Case Number 99-286-A 8219 Rosebank Avenue, Baltimore, MD 21222
7th Councilmanic District - 15th Election District
Legal Owners - Steven P. Mally and Patricia Mally

Dear Mr. Schmidt:

I am writing on behalf of the Wells McComas Citizens Improvement Association, Inc. regarding the request for a zoning variance for the above referenced property.

Our community association requests that this variance be denied. This is a business located in the middle of a residential street. It is true that this particular business has the proper zoning. However, the business has not been maintained in the proper way. It is an eyesore for the rest of the neighborhood.

Equipment, debris, building materials, junk, etc.. are scattered throughout the yard in a haphazard manner. While it is true the petitioners are asking for a variance to build a storage yard, they have not exhibited a willingness to run their business according to zoning codes that do apply. If they have not received a zoning violation to date, it must be because it has been overlooked.

They want the storage yard to be placed closer to the road. This is totally unacceptable. There are homes on both sides of this business and directly across the small street.

Up the street from this site, there is another business which works on cars. This is a model business. It is clean and well landscaped. It is not an offense to the homeowners nearby.

Mr. Lawrence Schmidt
February 28, 1999
Page Two

I've enclosed two pictures of the business requesting the variance which were taken on Saturday, February 27, 1999. This gives a small view of what this business presents to the neighborhood.

The Wells McComas Citizens Improvement Association, Inc. would like to go on record as being opposed to the issuance of this variance.

Thank you for your consideration.

Sincerely,

Janet B. Wood
President

JBW:dmk

Enclosures

CASE NUMBER: 99-286-A

8219 Rosebank Avenue

7th Councilmanic District - 15th Election District

Legal Owner: Steven P. Mally and Patricia A. Mally

Variance to allow a contractor's equipment storage yard within 25 feet of a street abutting a residential zone line in lieu of the required 150 feet and to permit a building side yard of 10 feet and zero feet in lieu of the required 30 feet.

HEARING: THURSDAY, MARCH 11, 1999 at 10 a.m. in Room 407, County Courts Building, 410 Bosley Avenue

CASE NUMBER: 99-289-SPHA

7200 Holabird Avenue

7th Councilmanic District - 12th Election District

Legal Owner: Mars Stores, Inc.

Variance to allow 146 parking spaces in lieu of the required 174 spaces. Special Hearing to approve the non-conforming parking lot on Parcel 2 and to amend the original site plan as approved in Case #5224.

HEARING: FRIDAY, MARCH 19, 1999 at 2 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

POSTPONED FROM MARCH 12, MARCH 15 AND MARCH 16

CASE NUMBER: 99-282-SPH

10803 Falls Road

3rd Councilmanic District - 8th Election District

Legal Owner William Hirshfeld and Loretta Hirshfeld

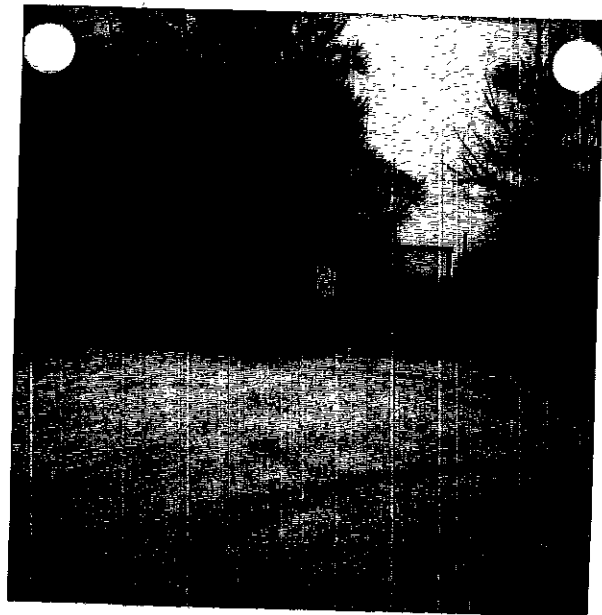
Contract Purchaser: Greenspring Racquet Club, Inc.

Special Hearing to approve a Floor Area Ration (FAR) of 2.56 in lieu of 0.50 and a building height of 78 feet in lieu of 35 feet.

HEARING: FRIDAY, MARCH 19, 1999 at 9 a.m. in Room 106, County Office Building, 111 W. Chesapeake Ave. and
MONDAY, MARCH 22, 1999 at 9 a.m. in Room 407, County Courts Building, 401 Bosley Avenue and
TUESDAY, MARCH 23, 1999 at 9 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Prot Ex 1A



Prot 1B

SCALE 1" = 200
MAP S.E. 2-G

PIERS

PIERS

PIERS

DR-55

EDGEWATER

D.R.3.5

MH SITE

SEVIEW

ROSEBANK

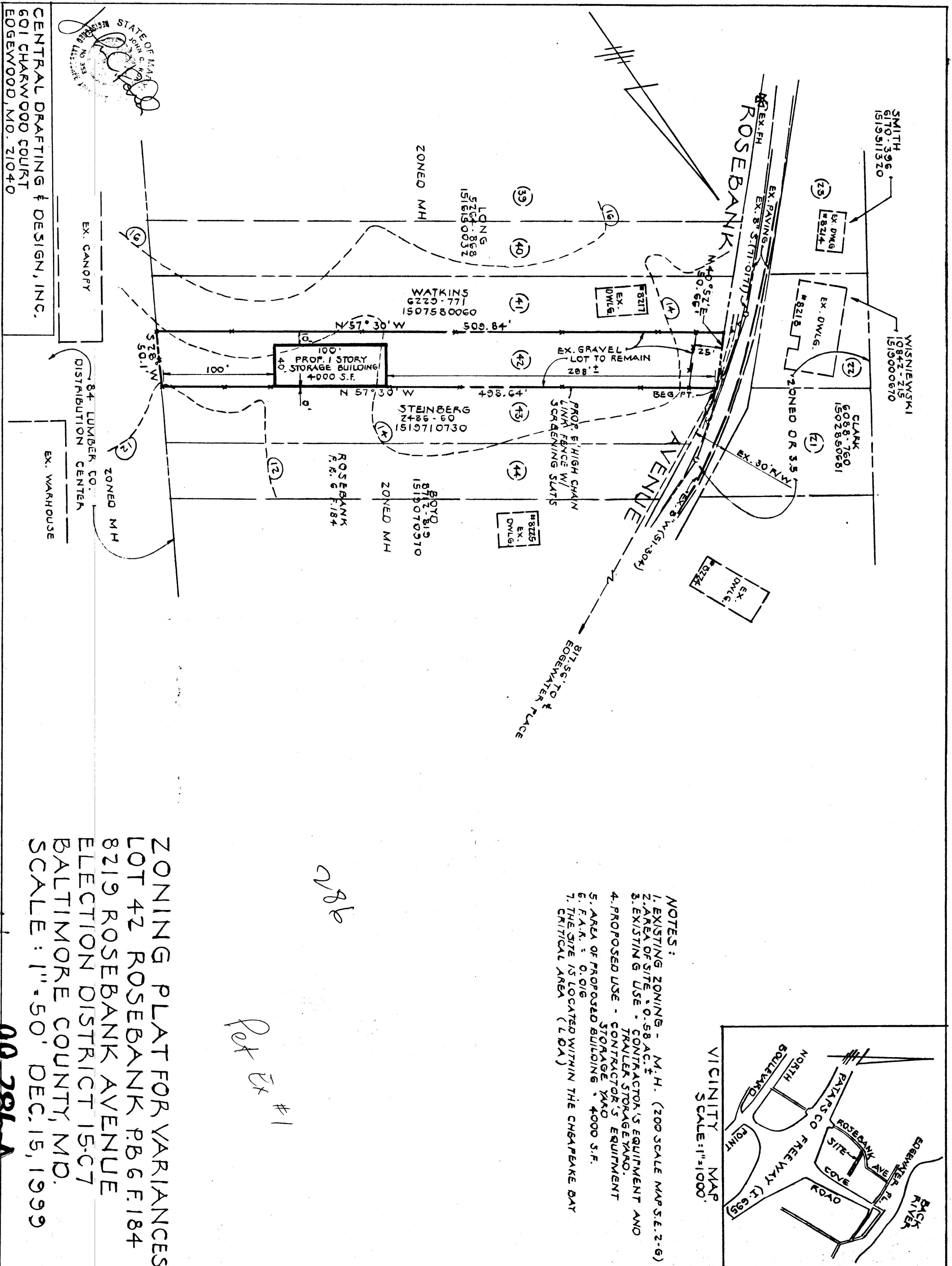
286

COVE

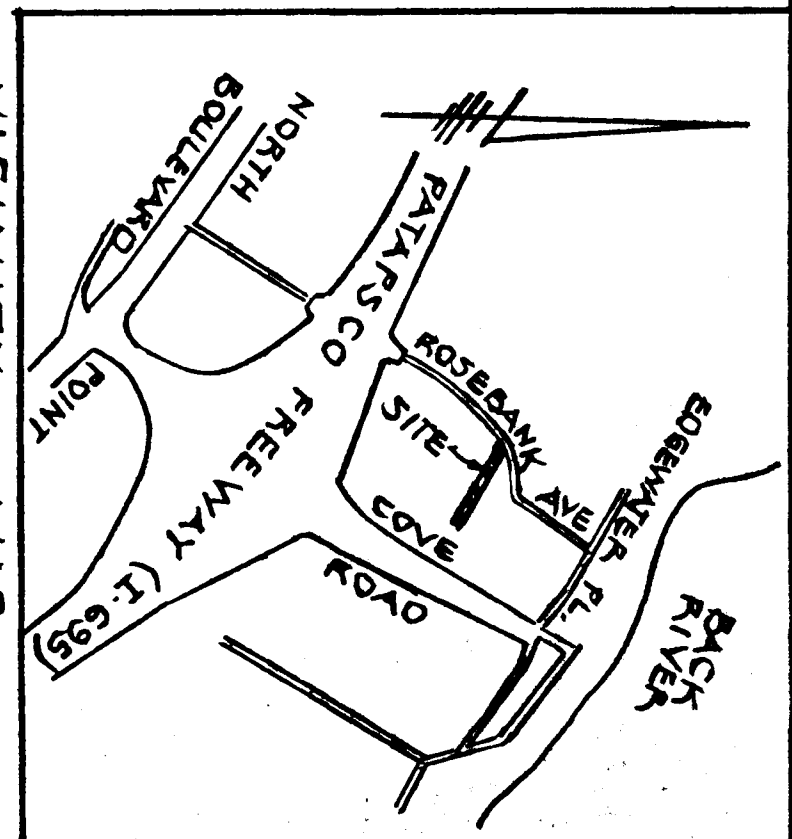
DR35

MH

99-286-A



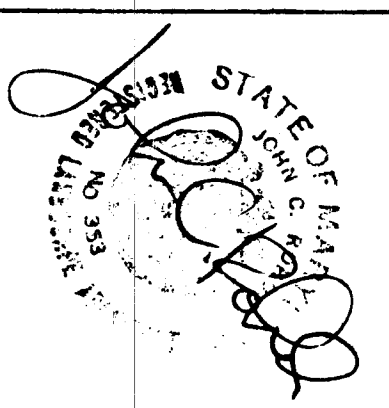
- NOTES:**
1. EXISTING ZONING - M.H. (200 SCALE MAP S.E. 2-6)
 2. AREA OF SITE - 0.58 AC. ±
 3. EXISTING USE - CONTRACTOR'S EQUIPMENT AND TRAILER STORAGE YARD.
 4. PROPOSED USE - CONTRACTOR'S EQUIPMENT STORAGE YARD
 5. AREA OF PROPOSED BUILDING - 4000 S.F.
 6. F.A.R. - 0.016
 7. THE SITE IS LOCATED WITHIN THE CHEAPEAKE BAY CRITICAL AREA (L.D.A.)



ZONING PLAT FOR VARIANCES
LOT 42 ROSEBANK P.B. 6 F.184
8219 ROSEBANK AVENUE
ELECTION DISTRICT 15-C7
BALTIMORE COUNTY, MD.
SCALE: 1" = 50' DEC. 15, 1999

99-286-A

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD. 21040



286

Per Ex #1

~~BALTIMORE CITY
BALTIMORE RIVER
SEWAGE DISPOSAL~~

**GREEN: WASH
POINT**

LDA 15% at
25% improves
surface
15% forced free convection

10. 4. 15. 11. 12.

DEEP CREEK

OFFICIAL CRITICAL AREA MAP

Chesapeake Bay Critical Area

Development Relations in the Chesapeake Bay Critical Area

AMN 0 35-08 Effective June 13, 1968

~~Bates T. Vols. Cincinnati~~

Date: 4/13/18

Cheer 10 of 20

CHESAPEAKE BAY CRITICAL LAND USE AREAS

Legend:

Intensely Developed Area

Limited Development Area

Resource Conservation Act

Critical Area Boundary

30A-3 OF EDUCATION

CBCA
Tax Map 104

Copies to:

Mr. David Billingsley
601 Charwood Court
Edgewood, MD 21040

Mr. Guido Guarnaccia
3912 Glenhurst Road
Baltimore, MD 21222

Mr. Frank Greever
3920 Glenhurst Road
Baltimore, MD 21222